

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 12-2004)		ATTORNEY'S DOCKET NUMBER 221904-1620
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To Be Determined <b>10/522944</b>
INTERNATIONAL APPLICATION NO. PCT/CA2003/001162	INTERNATIONAL FILING DATE 31 July 2003	PRIORITY DATE CLAIMED 31 July 2002
TITLE OF INVENTION PROTEIN TYROSINE KINASE INHIBITORS		
APPLICANT(S) FOR DO/EO/US BROWN, Martyn; MA, George; RUSU, Ghenadie; ZHONG, Jianhua; LAZAROWYCH, Natalie; and HOULDSWORTH, Stephen		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. EV558415169US</li> <li>23. <input checked="" type="checkbox"/> Other items or information: <i>Credit Card Form; Certificate of Express Mail; Copy of Request for Rectification of Obvious Errors under PCT Rule 91; Copy of amended application to be filed; PCT/IB/345; PCT/IB/306; PTO-1449 form; Two (2) cited references</i></li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/522944</b>		INTERNATIONAL APPLICATION NO. <b>PCT/CA2003/001162</b>		ATTORNEY'S DOCKET NUMBER <b>221904-1020</b>	
24. The following fees are submitted:				<b>Applicant use</b>	<b>Office use</b>
<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee ..... \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee ..... \$500.00				\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$ 0.00	
Independent claims	- 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 565.00	
<b>SUBTOTAL =</b>				\$ 565.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 80.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 645.00	
<b>Amount to be refunded:</b>				\$	
<b>Amount to be charged:</b>				\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>20-0778</b> . A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<b>LINDER, Christopher B.</b>					
<b>THOMAS, KAYDEN, HORSTEMEYER &amp; RISLEY, LLP</b>					
<b>100 Galleria Parkway, N.W.</b>					
<b>Suite 1750</b>					
<b>Atlanta, GA 30339-5948</b>					
<b>US</b>					
				SIGNATURE	
				<b>Christopher B. Linder</b>	
				NAME	
				<b>47,751</b>	
				REGISTRATION NUMBER	

10/522944

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS

In re: **Brown et al.**

DT05 Rec'd PCT/PTO 31 JAN 2005

For: **PROTEIN TYROSINE KINASE INHIBITORS****CERTIFICATE OF EXPRESS MAIL**

Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard  
Transmittal Letter to the US Designated Office  
(DO/EO/US) (2 Pages)  
Credit Card Authorization Form;  
Copy of Published International Application Consisting of:  
Publication Page  
31 Pages of Specification  
7 Pages of Claims  
0 Pages of Drawings  
International Search Report;  
Copy of Request for Rectification of Obvious Errors under PCT Rule 91;  
Amended Patent Application To Be Filed in the U.S. (including amended  
pages 18, 30 and 31, amended claims and amended abstract);  
International Search Report (with a copy of PCT/ISA/224);  
Copy of PCT/IB/345;  
Copy of PCT/IB/306;  
Assignment from Ma et al. To Dalton Chemical Laboratories with  
Assignment Recordal Sheet;  
Assignment #2 from Dalton Chemical Laboratories to Wayne R. Danter with  
Assignment Recordal Sheet;  
Information Disclosure Statement;  
PTO-1449 Sheet; and  
Two (2) cited references

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778. Respectfully submitted,

Christopher B. Linder, Esq., Reg. No. 47,751

  
**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948

Our Docket No: **221904-1020**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV558415169US**.

Date: 31 January 2005  
Lara L. O'Brien

**IN THE INTERNATIONAL BUREAU OF WIPO**

In re PCT patent application  
Serial No.: PCT/CA03/01162  
Filed: July 31, 2003  
Applicant: DANTER, Wayne R.  
Title: Protein Tyrosine Kinase Inhibitors  
Our Ref.: 11757-4 KAM  
Date: November 4, 2003

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Dear Sirs:

**REQUEST FOR RECTIFICATION OF OBVIOUS ERRORS**  
**(PCT Rule 91)**

Please amend the above-identified PCT application as follows:

**IN THE DESCRIPTION:**

Please cancel pages 18, 30 and 31 presently on file and substitute therefor new pages 18, 30, and 31 submitted herewith.

**REMARKS:**

With respect to page 18, intermediate 9 has been amended to correct the bond between the oxygen and the nitrogen. This is an obvious error, in that the reaction would yield the corrected intermediate 9 only.

With respect to page 30 and 31 of the description, in particular, paragraph 3 at page 30 of the description, this paragraph has been amended to refer to "A mixture of 8 (1 gram, (1.0 equiv))", "(1.36 grams, (1.2 equiv))" and "the reaction mixture was stirred for 5 hours at room temperature and separated by preparative TLC" rather than "A mixture of 8 (1 gram)", "(1.36 grams Cl (2 equiv))" and "the reaction mixture was separated by preparative TLC". One skilled in the art would be able to calculate that 1 gram of compound 8 would be equivalent to 1.0 equiv. In addition, "Cl (2 equiv)" is clearly a typographical error and "the reaction mixture was stirred for 5 hours at room temperature" was a minor omission in the experimental example.

Entry of this Amendment is respectfully requested.

Respectfully submitted,  
**SIM & McBURNEY**

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Kimberly A. McManus

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